
60 East 42nd Street • Suite 4700 • New York, New York 10165
T: 212.792.0048 • E: Jason@levinestein.com

February 4, 2022

Via Electronic Filing

The Honorable Marcia M. Henry, U.S.M.J.
U.S. District Court, Eastern District of New York
225 Cadman Plaza East
Brooklyn, NY 11201

Re: *Douglas et al v. East Coast Moving Inc. et al*
Case No.: 21-cv-05033

Dear Honorable Magistrate Judge Henry:

This law firm represents Plaintiffs Seron Douglas, Gilbert Augustin, Jr., and Christian Adams (collectively, the “Plaintiffs”) in the above-referenced action.

Pursuant to Your Honor’s Individual Rules I(A)(1), and V(B), this letter respectfully serves as a request to compel Defendants East Coast Moving Inc., Extreme Van Line Inc. and Edna Seltzer (collectively, the “Defendants”) to comply with the directives contained in Your Honor’s January 18, 2022 Order.

I. Relevant Procedural Background for Non-Compliance with this Court’s November 3, 2021 and January 18, 2022 Orders

By way of relevant background, on November 3, 2021, the Court entered an FLSA Scheduling Order [Dckt. No. 28], which required the parties to, *inter alia*: (i) serve limited discovery on or before January 4, 2022; and (ii) meet-and-confer to discuss settlement; by January 4, 2022.

By letter dated January 11, 2022, the undersigned law firm informed the Court that As of the date of the letter, Defendants have not provided any of the disclosures outlined in paragraphs 1 or 3 of the November 3rd Order. [Dckt. No. 30].

On January 18, 2022, the Court entered an Order: (i) requiring Defendants to serve the disclosures outlined in paragraph 3 of the November 3rd Order on or before January 21, 2022, and (ii) requiring the parties to engage in settlement discussions on or before February 3, 2022.

By email dated January 26, 2022, the undersigned counsel provided Defendants’ counsel with a settlement demand.

By email dated January 27, 2022, Defendants’ counsel provided the undersigned counsel with Zelle payment records for the Plaintiffs.

By emails dated January 26, 2022, January 27, 2022, February 1, 2022 the undersigned counsel requested Defendants’ counsel’s availability for a meet-and-conferral, pursuant to the directives contained in the January 18, 2022 Order.

By email dated February 1, 2022, Defendants' counsel advised the undersigned that he was "going to carve some time out before the end of the week to bring" individual defendant Edna Seltzer in to his office, to discuss settlement.

By email dated February 3, 2022, the undersigned counsel reminded Defendants' counsel of the pending meet-and-conferral deadline. Defendants' counsel did not respond to the February 3, 2022 email.

As of the date of this letter, Defendants have not provided their availability to meet-and-confer, pursuant to the directives contained in Your Honor's January 18, 2022 Order.

Thus, Plaintiffs respectfully request that the Court enter an order, compelling Defendants to comply with the directives contained in Your Honor's January 18, 2022 Order.

We thank the Court for its attention to this matter, and are available at the Court's convenience to answer any questions related to the foregoing.

Respectfully submitted,

LEVIN-EPSTEIN & ASSOCIATES, P.C.

By: /s/ Jason Mizrahi
Jason Mizrahi
60 East 42nd Street, Suite 4747
New York, NY 10170
Tel. No.: (212) 792-0048
Email: Jason@levinestein.com
Attorneys for Plaintiffs

VIA ECF: All Counsel